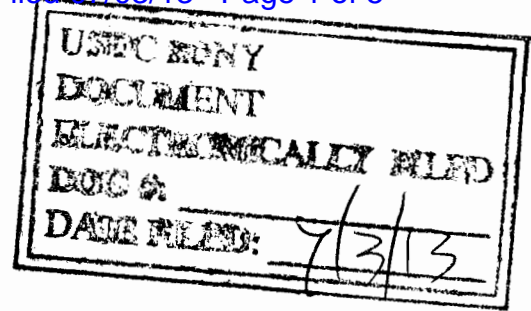


EXHIBIT 4



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

12 MC 115

CONSENT ORDER

In re:

MADOFF SECURITIES

PERTAINS TO CASES LISTED IN EXHIBIT A

JED S. RAKOFF, U.S.D.J.:

On consent of (i) the defendants listed herein and on Exhibit A hereto (collectively, the "Defendants"), (ii) Irving H. Picard, as Trustee (the "Trustee") for the substantively consolidated liquidation proceedings of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, and (iii) the Securities Investor Protection Corporation ("SIPC", together with the Defendants and the Trustee, the "Parties"), the Parties agree as follows:

1. In *Picard v. Sonja Kohn, et al.*, No. 12-cv-02639 (JSR) (the "Kohn Action"), Defendants Starvest Anstalt and Lifetrust AG (hereinafter "Defendants Starvest and Lifetrust") were excluded from Exhibit A to the Order dated April 13, 2012, No. 12 MC 115 (S.D.N.Y. April 13, 2012) (ECF No. 4) (the "Stern Order"); Exhibit A to the Order dated May 15, 2012, No. 12 MC 115 (S.D.N.Y. May 16, 2012) (ECF No. 119) (the "Section 546(e) Order"); Exhibit

A to the Order dated June 6, 2012, No. 12 MC 115 (S.D.N.Y. June 7, 2012) (ECF No. 167) (the "Extraterritoriality Order"); Exhibit A to the Order dated June 23, 2012, No. 12 MC 115 (S.D.N.Y. June 25, 2012) (ECF No. 197) (the "Good Faith Order"); Opinion and Order dated January 4, 2013, No. 12 MC 115 (S.D.N.Y. January 4, 2013) (ECF No. 427) (the "Stern Opinion"); Opinion and Order dated April 15, 2013, No. 12 MC 115 (S.D.N.Y. April 15, 2013) (ECF No. 460) (the "Section 546(e) Opinion"), because the Trustee served the Summons and Complaint on Defendants Starvest and Lifetrust in the Kohn Action after the April 2, 2012 deadline for filing Motions to Withdraw the Reference to the Bankruptcy Court established pursuant to the *Administrative Order Establishing Deadline for Filing Motions to Withdraw the Reference*, Adv. Pro. No. 08-01789 (BRL) (Bank. S.D.N.Y. Mar. 5, 2012) (ECF No. 4707) (the "Withdrawal Motion Deadline"), and the relevant Motion filed by Defendants Starvest and Lifetrust in the Kohn Action was filed on June 13, 2013. The Trustee, SIPC and Defendants Starvest and Lifetrust hereby agree that the Stern Order as entered shall apply to Defendants Starvest and Lifetrust in the Kohn Action *nunc pro tunc* to April 13, 2012; the Section 546(e) Order as entered shall apply to Defendants Starvest and Lifetrust in the Kohn Action *nunc pro tunc* to May 16, 2012; the Extraterritoriality Order as entered shall apply to Defendants Starvest and Lifetrust in the Kohn Action *nunc pro tunc* to June 7, 2012; the Good Faith Order as entered shall apply to Defendants Starvest and Lifetrust in the Kohn Action *nunc pro tunc* to June 25, 2012; the Stern Opinion as entered shall apply to Defendants Starvest and Lifetrust in the Kohn Action *nunc pro tunc* to January 4, 2013; and the Section 546(e) Opinion as entered shall apply to Defendants Starvest and Lifetrust in the Kohn Action *nunc pro tunc* to April 15, 2013. Defendants Starvest and Lifetrust in the Kohn Action will be covered by the Stern Order, Section

546(e) Order, Extraterritoriality Order, Good Faith Order, Stern Opinion, and Section 546(e) Opinion in all respects.

2. In *Picard v. Union Securities Investment Trust Co., Ltd., et al.*, No. 13-cv-04429 (JSR) (the “Union Sec. Action”), Defendants Union Securities Investment Trust Co., Ltd., Union USD Global Arbitrage Fund, Union USD Global Arbitrage A Fund, and Union Arbitrage Strategy Fund (collectively, the “Union Securities Defendants”), were excluded from Exhibit A to the Order dated May 12, 2012, No. 12 MC 115 (S.D.N.Y. May 16, 2012) (ECF No. 107) (the “Antecedent Debt Order”); Exhibit A to the Stern Order; Exhibit A to the Section 546(e) Order; Exhibit A to the Extraterritoriality Order; Exhibit A to the Good Faith Order; Stern Opinion; and Section 546(e) Opinion, because the Trustee served the Summons and Complaint on the Union Securities Defendants in the Union Sec. Action after the Withdrawal Motion Deadline, and the relevant Motion filed by the Union Securities Defendants in the Union Sec. Action was filed on June 25, 2013. The Trustee, SIPC and the Union Securities Defendants in the Union Sec. Action hereby agree that the Antecedent Debt Order as entered shall apply to the Union Securities Defendants in the Union Sec. Action *nunc pro tunc* to May 16, 2012; the Stern Order as entered shall apply to the Union Securities Defendants in the Union Sec. Action *nunc pro tunc* to April 13, 2012; the Section 546(e) Order as entered shall apply to the Union Securities Defendants in the Union Sec. Action *nunc pro tunc* to May 16, 2012; the Extraterritoriality Order as entered shall apply to the Union Securities Defendants in the Union Sec. Action *nunc pro tunc* to June 7, 2012; the Good Faith Order as entered shall apply to the Union Securities Defendants in the Union Sec. Action *nunc pro tunc* to June 25, 2012; the Stern Opinion as entered shall apply to the Union Securities Defendants in the Union Sec. Action *nunc pro tunc* to January 4, 2013; and the Section 546(e) Opinion as entered shall apply to the Union Securities Defendants in the

Union Sec. Action *nunc pro tunc* to April 15, 2013. The Union Securities Defendants in the Union Sec. Action will be covered by the Antecedent Debt Order, Stern Order, Section 546(e) Order, Extraterritoriality Order, Good Faith Order, Stern Opinion, and Section 546(e) Opinion in all respects.

SO ORDERED.


JED S. RAKOFF, U.S.D.J.

Date: New York, New York
June 29, 2013

EXHIBIT A

District Court Action	Docket No.	Counsel for Moving Defendants	Relevant Consolidated Briefing Order
<i>Picard v. Sonja Kohn, et al.</i> (Moving Defendants: Starvest Anstalt and Lifetrust AG)	12-cv-02639	The Law Office of Sheldon Eisenberger Sheldon Eisenberger (Sheldon@eisenbergerlaw.com)	(1) <u>Stern</u> Order (2) Section 546(e) Order (3) Extraterritoriality Order (4) Good Faith Order (5) <u>Stern</u> Opinion (6) Section 546(e) Opinion
<i>Picard v. Union Securities Investment Trust Co., Ltd., et al.</i>	13-cv-04429	Sheppard, Mullin, Richter & Hampton LLP Daniel L. Brown (dlbrown@sheppardmullin.com) Malani J. Cademartori (mcademartori@sheppardmullin.com) Blanka K. Wolfe (bwolfe@sheppardmullin.com)	(1) Antecedent Debt Order (2) <u>Stern</u> Order (3) Section 546(e) Order (4) Extraterritoriality Order (5) Good Faith Order (6) <u>Stern</u> Opinion (7) Section 546(e) Opinion